

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re)	
)	Chapter 11
VIDEOMINING CORPORATION,)	
)	Bankruptcy Case No. 20-20425 GLT
Debtor)	
)	
<hr/>)	
VIDEOMINING CORPORATION,)	Document No. _____
)	Related to Document No. 13, 16, 18, 19, 43
Movant,)	
)	Hearing date and time:
v.)	N/A
)	
ENTERPRISE BANK, WHITE OAK)	Responses due:
BUSINESS CAPITAL, INC., ON DECK)	February 21, 2020
CAPITAL, ITRIA VENTURES, LLC,)	
BROADWAY ADVANCE FUNDING,)	
GREEN NOTE CAPITAL PARTNERS,)	
INC., AND THE HERSHEY COMPANY)	
)	
Respondents.)	

SUPPLEMENTAL RESPONSE OF WHITE OAK BUSINESS CAPITAL, INC.

AND NOW, comes White Oak Business Capital, Inc. (formerly known as Federal National Payables, Inc., and formerly doing business as Federal National Commercial Credit) (“White Oak”), by and through its undersigned counsel and files the within *Supplemental Response of White Oak Business Capital, Inc.* (“Supplemental Response”) and in support thereof submits the following:

1. VideoMining Corporation (“Debtor”) filed its voluntary Chapter 11 Petition on February 4, 2020 (“Petition Date”). The Debtor is continuing to operate its business and manage its affairs as a Debtor-in-Possession.

2. On February 5, 2020, the Debtor filed an *Emergency Motion for Interim and Final Orders Authorizing The Debtor to Use Cash Collateral*, listed as Document No. 13 on the Court's docket ("Cash Collateral Motion").
3. On February 5, 2020, the Debtor filed an *Emergency Motion To Release and Prohibit Interference With The Debtor's Customers*, listed as Document No. 16 on the Court's docket ("A/R Motion").
4. White Oak filed its *Objection Of White Oak Business Capital, Inc. To Emergency Motion for Interim and Final Orders Authorizing the Debtor to Use Cash Collateral*, listed as Document No. 39 on the Court's docket ("Cash Collateral Objection") and its *Limited Objection Of White Oak Business Capital, Inc. To Emergency Motion To Release and Prohibit Interference With The Debtor's Customers*, listed as Document No. 41 on the Court's docket ("Limited A/R Objection").
5. Itria Ventures LLC ("Itria") filed its *Objection to Debtor's Use of Cash Collateral*, listed as Document No. 42 on the Court's docket ("Itria Objection").
6. At the initial hearings in this case, and in its Cash Collateral Objection, White Oak asserts that it holds a first petition lien on the Debtor's accounts receivables, including the account subject to the A/R Motion.
7. The Court, in its Order addressing the A/R Motion, listed as Document No. 43 on the Court's docket, among other things, directed the parties to meet and confer and offered the opportunity for the parties to file supplemental responses to the extent disputes remain unresolved.
8. As of the filing of this Supplemental Response, Itria has not withdrawn the Itria Objection. Accordingly, White Oak wishes to supplement its Cash Collateral Objection and

Limited A/R Objection to provide the Court with evidence of its asserted first position lien claim with respect to the Debtor's accounts receivable.

9. Prior to the Petition Date, White Oak was required to file in the Court of Common Pleas of Centre County Pennsylvania a Notice of Third Party Claim by which it described its asserted lien on the Debtor's Inventory, Chattel Paper, Accounts, Equipment, Instruments and General Intangibles. Rather than repeating all of the same information in this Supplemental Response, White Oak incorporates the Notice of Third Party Claim by reference, makes it a part hereof, and attaches it as Exhibit A hereto.

10. In addition to the liens asserted in the Notice of Third Party Claim, White Oak also asserts a lien on the Debtor's patent interests. Since White Oak's asserted lien on the Debtor's Patents is not presently before the Court, it will not burden the Court with that information at this time, but reserves the right to further supplement the record at a later date to the extent necessary to support its lien claims against the patents.

11. For the reasons set forth in the Cash Collateral Objection, the Limited Objection, in the record before the Court and based upon the information contained in this Supplemental Response, White Oak submits that it holds a properly perfected first lien on the Debtor's Pre-Petition Date accounts receivable, which defeats Itria's asserted claim to the Hershey receivable, and any other receivable until such time as White Oak has been paid in full.

12. Itria asserts that "the Debtor sold its receivables to Itria in a true sale transaction such that Itria owns the receivable." (Itria Objection, ¶1, page 1). White Oak has not had the opportunity to address the merits of Itria's asserted ownership of the Debtor's accounts and reserves the right to do so, including the ability to file additional papers with this Court to address that issue, as

necessary. However, even if Itria's assertion proves to be true, any accounts it would have purchased would be subject to the superior liens held by White Oak and Enterprise Bank.

WHEREFORE, White Oak respectfully requests the Court to enter an Order over-ruling the Itria Objection, and to provide such other and further relief as the Court deems to be just and proper.

Dated: February 21, 2020

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CERTIFICATE OF SERVICE

I certify under penalty of perjury that I served the above captioned pleadings on the parties at the address specified below or on the attached list on February 21, 2020.

The types of service made on the parties (first class mail, electronic notification, hand delivery, or another type of service) was: Electronic Mail.

If more than one method of service was employed, this certificate of service groups the parties by the type of service. For example: the full name, email address, and where applicable the full name of the person or entity represented, for each party served by electronic transmission is listed under the heading "Service by NEF," and the full name and complete postal address for each party served by mail, is listed under the heading "Service by First Class Mail."

Service By Electronic Mail

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EXECUTED ON: February 21, 2020

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